

COUNCIL AGENDA, CITY OF COUNCIL BLUFFS, IOWA
REGULAR MEETING 03/29/2010 7:00 PM
COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
209 PEARL STREET

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of agenda and tape recording of this proceeding to be incorporated into the official minutes
- B. Reading, correction and approval of the March 8, 2010 City Council meeting minutes
- C. Resolution 10-88, ordering the City Clerk to publish notice setting a Public Hearing for April 12, 2010 at 7:00 p.m., regarding the Plans, Specifications and Form of Contract for the Council Bluffs Parks - Park Lighting Project
- D. Resolution 10-89, intent to dispose of City property legally described as Lot 9, Block H, Curtis and Ramsey Addition and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- E. Resolution 10-90, directing the City Clerk to publish notice setting a Public Hearing for April 12, 2010 at 7:00 p.m., regarding the Plans, Specifications, Form of Contract and Cost Estimate for the Hazel Street Restoration
- F. Resolution 10-91, directing the City Clerk to publish notice setting a Public Hearing for April 12, 2010 at 7:00 p.m., regarding the Plans, Specifications, Form of Contract and Cost Estimate for the South 13th Street Improvements - Phase V
- G. Resolution 10-92, directing the City Clerk to publish notice setting a Public Hearing for April 12, 2010 at 7:00 p.m., regarding the Plans, Specifications, Form of Contract and Cost Estimate for the 32nd Avenue Storm Sewer Project (S. 11th St. to S. 7th St.)
- H. Resolution 10-93, directing the City Clerk to publish notice setting a Public Hearing for April 12, 2010 at 7:00 p.m., regarding the Plans, Specifications and Form of Contract for the 28th Avenue Reconstruction Project, Phase II
- I. Resolution 10-94, intent to vacate that part of Kimball Avenue which runs southeast from East Pierce Street for 232 feet and abuts Block 3, Hagg's First Addition and setting a Public Hearing for April 12, 2010 at 7:00 p.m.

4. PUBLIC HEARINGS

- A. Resolution 10-95, authorizing the Mayor to submit an application for FY2011 State Transit Assistance
- B. Resolution 10-96, authorizing disposal of City owned property formerly known as 348 Benton Street, legally described as Lot 13 except triangle on north, Auditor's Subdivision as part of the S1/2 NE1/4 of Section 25-75-44
- C. Resolution 10-97, authorizing disposal of City owned property formerly known as 2409 7th Avenue, legally described as Lots 9 and 10, Block 16, Wright's Addition
- D. Resolution 10-98, determining an area of the City to be a blighted area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting the Nash Boulevard Urban Renewal Plan

5. ORDINANCES ON FIRST READING

- A. Ordinance 6061, amending the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of certain grounds, premises and property generally located between South 15th and South 19th Streets, from 23rd Avenue to one-half block south of 28th Avenue, from R-2/Two Family Residential and R-3/Low Density Multi-Family Residential, to R-1/Single Family Residential, as set forth and defined in Chapters 15.09, 15.10 and 15.08B and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- B. Ordinance 6062, amending the zoning map, as adopted by reference in Section 15.02.040 by changing the district designation of approximately 1,058 acres of newly annexed land from A-1/Open Space and Conservation District, A-4/Loess Hills District, R-2/Urban Transitional District and R-3/Urban Residential District (County) to A-2/Parks Estates and Agricultural District (City), as set forth and defined in Chapter 15.05 and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- C. Ordinance 6063, amending Title 13 entitled "Building Construction" by amending in part Chapter 13.27 to be entitled "Swimming Pool, Spa and Hot Tub Code" and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- D. Ordinance 6064, amending Title 13 entitled "Building and Construction" by amending Chapter 13.21 which is entitled "Property Maintenance Code" and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- E. Ordinance 6065, amending Title 13 entitled "Building Construction", by repealing Chapter 13.09 in its entirety and enacting a new Chapter 13.09 to be codified and entitled "Mechanical Code" and setting a Public Hearing for April 12, 2010 at 7:00 p.m.

- F. Ordinance 6066, amending Title 13 entitled "Building and Construction", by amending Chapter 13.26 to be codified and entitled "Fuel Gas Code" and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- G. Ordinance 6067, amending Title 13 entitled "Building and Construction", by enacting a new Chapter 13.01 to be codified and entitled "Administrative Provisions"
- H. Ordinance 6068, providing that general property taxes levied and collected each year on all property located within the Nash Boulevard Urban Renewal Area, in the City of Council Bluffs, County of Pottawattamie, State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Nash Boulevard Urban Renewal Redevelopment Project
- I. Ordinance 6069, amending Chapter 3.08 "Beer and Liquor Control" by amending Section 3.08.045 "Exceptions to Section 3.08.040(5)", to include open air taverns as an exception in areas zoned as C-4, with restrictions

6. ORDINANCES ON SECOND READING

- A. Ordinance 6058, amending Title 13 entitled "Building and Construction" by enacting a new Chapter 13.20 entitled "Energy Conservation Code" and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- B. Ordinance 6059, amending Chapter 13.12 entitled "Plumbing Code" of Title 13 entitled "Building and Construction" by adding Section 13.12.024 entitled "Administrative Provisions", by adding Section 13.12.026 entitled "Fuel Gas Piping", by adding Section 13.12.028 entitled "Code Amendments", and by deleting Sections 13.12.030 to 13.12.110 and setting a Public Hearing for April 12, 2010 at 7:00 p.m.
- C. Ordinance 6060, amending Title 13 entitled "Building and Construction" by repealing Chapter 13.16 in its entirety and enacting a new Chapter 13.16 entitled "Electrical Code" and setting a Public Hearing for April 12, 2010 at 7:00 p.m.

7. RESOLUTIONS

- A. Resolution 10-99, amending the Two-Mile Limit Area Policy Agreement between Pottawattamie County and the City of Council Bluffs to adopt a new map and service area locations resulting from annexation
- B. Resolution 10-100, authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Pilot Travel Center #329, for a violation of Iowa Code Section 453A.2(1)

- C. Resolution 10-101, authorizing the Mayor and City Clerk to enter into an agreement and award contract to Construct, Inc., for the Renovation and Rehabilitation of the HVAC Systems at Community Hall/Central Fire Station and the Council Bluffs Library Project
- D. Resolution 10-102, approving the low bid from American Fence Company for the Bahnsen Park Improvements Phase I Fencing Project
- E. Resolution 10-103, adopting a revision of the Personnel Policies Manual
- F. Resolution 10-104, authorizing the Mayor and City Clerk to execute an agreement with R.D. Blue Construction, Inc., for the South 1st Neighborhood Rehab. - Phase I Project
- G. Resolution 10-105, accepting the work of Godbersen-Smith Construction, Co., in connection with the Parkwood Circle Structure over Indian Creek and authorizing the Finance Director to issue a City check in the amount of \$15,835.22
- H. Resolution 10-106, authorizing the Mayor and City Clerk to execute an agreement with MFT Construction, Inc., for the South 24th Street Improvements - Phase I, from the north property line of Sapp Brothers north to 23rd Avenue
- I. Resolution 10-107, authorizing the acquisition of one Toro Reelmaster 5420-D mower for the Parks, Recreation and Public Property Department for maintaining Dodge Riverside Golf Club and directing the Purchasing Officer to purchase the equipment from Midwest Turf and Irrigation for \$39,616.30
- J. Resolution 10-108, amending the future land use map in the 1994 Comprehensive Plan for the area south of Interstate 29/Avenue N (Nash Boulevard), from west of North 22nd Street to North 24th Street from Highway/General Commercial Use to 1 & 2 Family Residential Use
- K. Resolution 10-109, authorizing the issuance of a Temporary Use Permit to allow outdoor meetings at 94 Jennings Avenue
- L. Resolution 10-110, authorizing the abolition of an Account Clerk II position within the Council Bluffs Recycling Center and creation of a new Recycling Clerk position

8. MAYOR'S APPOINTMENTS

- A. Mayor's Recommendation to Reappoint:
 - 1. Donna Schoppner, Dan Van Houten and Sheila Graham to the City Planning Commission with terms expiring April 1, 2015
- B. Mayor's Recommendation to Appoint:
 - 1. Nick Gardner and reappoint Matt Garst to the Zoning Board of Adjustment with terms expiring April 1, 2015

9. RECEIVE AND FILE ITEMS

- A. Two (2) Notices of Claim
- B. Cash Balance Statement, February 28, 2010
- C. List of Bills, February 28, 2010
- D. Two (2) Notices of Right of Redemption
- E. One (1) Offer to Buy - 1010 6th Avenue

10. APPLICATIONS FOR PERMITS AND CANCELLATIONS

- A. RENEWAL APPLICATIONS FOR BEER/WINE/LIQUOR & OUTDOOR PERMITS
 - 1. Buffalo Wild Wings Grill & Bar, 3701 Metro Drive
 - 2. Council Bluffs Country Club, 4500 Piute Street
 - 3. Old River Pizza Company, 3120 Manawa Centre Drive
 - 4. Red Lobster, 3040 Dial Drive
 - 5. Super Saver, 1141 North Broadway
 - 6. T'z, 128 West Broadway
 - 7. Tobacco Hut #14, 1925 West Broadway
- B. SALVAGE YARD PERMITS
 - 1. Alter Metal Recycling, 2603 9th Avenue
 - 2. Council Bluffs Recycling Center, 4441 Gifford Road
 - 3. Ganeeden Metals LLC, 1301 North 14th Street
- C. SPECIAL EVENT PERMIT
 - 1. Celebrate CBI Parade and Events (May 7 - May 15, 2010)

11. CITIZENS REQUEST TO BE HEARD

12. OTHER BUSINESS

13. ADJOURNMENT